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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,959	07/06/2001	Travis J. Muhlestein	MSFT116344	4369

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EXAMINER	
KENDALL, CHUCK O	

ART UNIT	PAPER NUMBER
2122	

DATE MAILED: 11/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/899,959	MUHLESTEIN ET AL.	
	Examiner	Art Unit	
	Chuck Kendall	2122	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 July 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ~~11/14/2004~~. 9/24/2001
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

1. This action is in response to the application filed 07/06/01.

2. Claims 1 – 31 are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 – 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Morshed et al. USPN 6,721,941.

Regarding claim 1, Morshed anticipates a method for exposing instrumentation data available within a managed code environment to an instrumentation data source executing outside said managed code environment, comprising:

receiving an indication that said instrumentation data should be exposed to said instrumentation data source (16: 40 – 47);

in response to receiving said indication, loading a decoupled provider for facilitating communication between said managed code environment and said instrumentation data source (16: 40 – 47);

determining whether schema describing said instrumentation data has been previously registered with said instrumentation data source (73:15 – 25);

in response to determining that said schema has not been previously registered with said instrumentation data source, registering said schema with said

instrumentation data source through said decoupled provider (54: 1 – 15, see list of process identifiers, collectors and registering process).

Regarding claim 2, the method of claim 1, further comprising:

in response to determining that said schema has previously been registered with said instrumentation data source, determining whether said previously registered schema is correct (34: 46 – 50, see profiling and verification); and

in response to determining that said previously registered schema is incorrect, overwriting said previously registered schema with said schema describing said instrumentation data (28: 37 – 44, see updating invalid instructions).

Regarding claim 3, the method of claim 1, further comprising:

registering an application program associated with said instrumentation data with said instrumentation data source as a provider of instances of said instrumentation data (21:15 – 25).

Regarding claim 4, the method of claim 3, further comprising: notifying said decoupled provider that said instrumentation data is available (19: 9 – 15).

Regarding claim 5, the method of claim 4, wherein said instrumentation data comprises an object and wherein said schema describes the properties and methods exposed by said object (73:18 – 25, see components as gathered and see database schema).

Regarding claim 6, the method of claim 5, wherein said indication that said instrumentation data should be exposed to said instrumentation data source comprises an attribute (16: 35– 40, for attribute see label).

Regarding claim 7, the method of claim 5, wherein said indication that said instrumentation data should be exposed to said instrumentation data source comprises a call to an application programming interface (54:23 – 27).

Regarding claim 8, a computer-readable medium comprising instructions which, when executed by a computer, cause the computer to perform the method recited in any one of claims 1-7 (for computer readable medium see, 6: 18 – 23, for local storage, regarding performing methods of any one of claims 1 – 7, see rationale above as previously discussed).

Regarding claim 9, a computer-controlled apparatus capable of performing the method recited in any one of claims 1-7, (for computer controlled apparatus see, 6: 10 – 15, for computer system and regarding performing methods of any one of claims 1 – 7, see rationale above as previously discussed).

Regarding claim 10, a method for exposing instrumentation data available within a managed code environment to an instrumentation data source executing outside said managed code environment, comprising:

receiving an indication that said instrumentation data should be exposed to said instrumentation data source (54:23 – 27);

in response to receiving said indication, loading a decoupled provider for facilitating communication between said managed code environment and said instrumentation data source (16: 40 – 47);

determining whether schema describing said instrumentation data has been previously registered with said instrumentation data source (73:15 – 25;

in response to determining that schema has not been previously registered with said instrumentation data source, registering said schema with said instrumentation data source through said decoupled provider (54: 1 – 15, see list of process identifiers, collectors and registering process);

receiving a request for said instrumentation data from said instrumentation data source at said decoupled proxy (57:52 – 62); and

in response to said request, converting said instrumentation data from a format compatible with said managed code environment to a format compatible with said instrumentation data source, and transmitting said converted instrumentation data to said instrumentation data source (8:53 – 60).

Regarding claim 11, the method of claim 10, wherein said instrumentation data comprises an object and wherein said schema describes the properties and methods exposed by said object (73:18 – 25, see components as gathered and see database schema).

Regarding claim 12, the method of claim 11, wherein said request for said instrumentation data comprises a request for instances of said object (21: 43 – 60).

Regarding claim 13, the method of claim 12, wherein said request for said instrumentation data is received at said decoupled provider, and further comprising: querying one or more providers for instances satisfying said request (21: 43 – 60, for request see call).

Regarding claim 14, the method of claim 13, wherein said one or more providers are queried by said decoupled provider in a round-robin fashion to identify instances satisfying said request (35: 45 – 55).

Regarding claim 15, the method of claim 14, wherein said indication that said instrumentation data should be exposed to said instrumentation data source comprises an attribute (16: 35– 40, for attribute see label).

Regarding claim 16, the method of claim 14, wherein said indication that said instrumentation data should be exposed to said instrumentation data source comprises a call to an application programming interface (54:23 – 27).

Regarding claim 17, a computer-readable medium comprising instructions which, when executed by a computer, cause the computer to perform the method recited in any one of claims 10 -16 (for computer readable medium see, 6: 18 – 23, for local storage, regarding performing methods of any one of claims 10 – 16, see rationale above as previously discussed).

Regarding claim 18, a computer-controlled apparatus capable of performing the method recited in any one of claims 10 – 16 (for computer controlled apparatus see, 6: 18 – 23, for local storage, regarding performing methods of any one of claims 10 – 16, see rationale above as previously discussed).

Regarding claim 19, which recites similarly to claim 10 as previously discussed see rationale above.

Regarding claim 20, which recites similarly to claim 14 as previously discussed see rationale above.

Regarding claim 21, the method of claim 19, further comprising:

determining whether said request comprises a request to write a property on an instance of said instrumentation data (17: 1 – 10, see memory write);

in response to determining that said request comprises a request to write a property, identifying said instance of said instrumentation data and writing said property on said instance (17: 5 – 15, see memory write and program variable); and

providing a confirmation from said decoupled provider to said instrumentation data source that said property was written (17: 7 – 9).

Regarding claim 22, the method of claim 19, further comprising:

determining whether said request comprises a request to execute a method on an instance of said instrumentation data (40: 60 – 65);

in response to determining that said request comprises a request to execute a method, identifying said instance of said instrumentation data and executing said method on said instance (66: 23 – 30); and

providing a confirmation from said decoupled provider to said instrumentation data source that said method was executed (66: 25 – 27, see set to true or 1 when executed); .

Regarding claim 23, a computer-readable medium comprising instructions, which when executed by a computer, cause the computer to perform the method recited in any one of claims 19 – 22 (for computer readable medium see, 6: 18 – 23, for local storage, regarding performing methods of any one of claims 19 – 22, see rationale above as previously discussed).

Regarding claim 24, a computer-controlled apparatus capable of performing the method recited in any one of claims 19 – 22 (for computer controlled apparatus see, 6: 18 – 23, for local storage, regarding performing methods of any one of claims 19 – 22, see rationale above as previously discussed).

Regarding claim 25, which recites similarly to claim 10 as previously discussed see rationale above.

Regarding claim 26, which recites similarly to claim 16 as previously discussed see rationale above.

Regarding claim 27, the method of claim 26, wherein said instrumentation data comprises an attribute indicating that said instrumentation data may be exposed to said instrumentation data source as an event(16: 40 – 47).

Regarding claim 28, which recites similarly to claim 2 as previously discussed see rationale above.

Regarding claim 29, which recites similarly to claim 13 as previously discussed see rationale above.

Regarding claim 30, a computer-readable medium comprising instructions which, when executed by a computer, cause the computer to perform the method recited in any one of claims 25 – 29 (for computer readable medium see, 6: 18 – 23, for local storage, regarding performing methods of any one of claims 25 – 29, see rationale above as previously discussed).

Regarding claim 31, a computer-controlled apparatus capable of performing the method recited in any one of claims 25 – 29 (for computer controlled apparatus see, 6: 18 – 23, for local storage, regarding performing methods of any one of claims 25 – 29, see rationale above as previously discussed).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Kendall whose telephone number is 571-2723698. The examiner can normally be reached on 10:00 am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on 571-2723695. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CK

WEI Y. ZHEN
PRIMARY EXAMINER